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B. Webb
11/17/03

BOX PCT
IN THE UNITED STATES DESIGNATED OFFICE
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNDER THE PATENT COOPERATION TREATY-CHAPTER II

5 **RESPONSE TO THE AUGUST 20, 2003 OFFICE ACTION**

APPLICANTS: Brand et al. CONFIRMATION NO.: 5055
SERIAL NO.: 09/763,387 GROUP ART UNIT: 3762
FILED: April 18, 2001 EXAMINER: F. Oropeza
10 TITLE: "PACEMAKER HOUSING WITH LEAD CONNECTION
ASSEMBLY"

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

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15 Applicants and their counsel have carefully reviewed the Office Action
dated August 20, 2003, but believe the claims in their present form are
patentable over the teachings of the references relied upon by the Examiner.
Reconsideration of the application in view of the following arguments in
support of patentability is therefore respectfully requested.

20 **REMARKS:**

In the Office Action dated August 20, 2003, Claims 1-3 were rejected
under 35 U.S.C. §103(a) as being unpatentable over Schiff in view of Hawkins
et al. With regard to independent claim 7, the Examiner acknowledged that
the Schiff reference does not disclose that the housing is metallic. The
25 Examiner relied on the Hawkins et al. reference as teaching an implantable
device component assembly having a metallic housing with a barrel for
receiving a connector that is welded or bonded to the housing, in order to
secure the barrel assembly in the device. The Examiner stated it would have
been obvious to a person of ordinary skill in the art to use a metallic housing



PHONE (312) 258-5500

SCHIFF HARDIN & WAITE

PATENT DEPARTMENT

6600 SEARS TOWER

233 SOUTH WACKER DRIVE

CHICAGO, ILLINOIS 60606

RE APPLICATION OF:

Paul BRAND et al.

GROUP ART UNIT: 3762

SERIAL NO.:

09/763,387

EXAMINER: F. P Oropeza

FILED:

April 18, 2001

CONFIRMATION NO.:5055

TITLE:

"PACEMAKER HOUSING WITH LEAD CONNECTION ASSEMBLY"
"RESPONSE TO THE AUGUST 20, 2003 OFFICE ACTION"

Commissioner for Patents

P.O. Box 1450

Arlington, VA 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*11	MINUS	**20	X	() X 9.00 () X 18.00	00
INDEP. CLAIMS	*1	MINUS	3	X	() X 43.00 () X 86.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES () NO	() \$145.00 () \$290.00 ONE TIME	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$00	

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

☐ Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated for ____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$_____ is attached.

☐ A check for \$_____ accompanying IDS under 37 CFR 1.97(c) is attached

☐ A check for \$_____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.

☒ The Director is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.

When phoning re this application, please call (312) 258-5500.

SCHIFF HARDIN & WAITE (Customer Number: 26574)

Patent Department

BY Steven H. Noll (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O BOX 1450 Arlington, VA 22313-1450 on November 6, 2003.

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

Steven H. Noll

SIGNATURE

November 6, 2003

DATE

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